

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-4513/P1dn  
RJM:cmh:jf

February 14, 2000

Representative Sykora:

The attached bill is in preliminary form. Please review the bill and let me know if you intend any changes. Once you approve of the bill, I will redraft it in introducible form. It is still unclear just what provisions in subch. V of ch. 101 should apply to both mobile homes and manufactured homes, which should apply to mobile homes only and which should apply to manufactured homes only. The department of commerce should review this issue in order to avoid replicating the problem that the bill is intended to fix. As you review the bill, please note the following issues:

1. The bill retains the specific use of the term "mobile home" in the following locations in subch. V of ch. 101: ss. 101.92 (6) and 101.94 (1), stats. Please let me know if these provisions are not consistent with your intent.

2. The term "manufactured home" is currently used in ss. 101.925 (4) and 101.94 (2), stats., without being accompanied by the term "mobile home." Under the bill, the term "manufactured home" includes a mobile home. Please let me know if these statutes should be amended specifically to exclude a mobile home.

3. The bill repeals s. 101.90, stats., because it is inconsistent with subch. V of ch. 101 and repeals s. 101.96, stats., because that provision no longer applies.

4. Please review proposed s. 101.9218 (2) (manufactured home that is a fixture to real estate is excluded from security laws in subch. V of ch. 101) in order to ensure that it accomplishes your intent.

5. The term "mobile home" currently is defined by cross-reference in ss. 138.056 (1), 139.09 (7) (jm) 1. b., 196.01 (3n), 341.05 (26) (a), 422.201 (12m), 422.209 (1m) (a) 2. and 422.413 (2g) (intro.), stats. Beginning on July 1, 2000, these cross-references will all use the definition of "mobile home" in subch. V of ch. 101 to define "mobile home." The bill amends these cross-references either to refer to the proposed definition of "manufactured home" in s. 101.91 (2), stats., or to retain the definition of "mobile home" that currently applies. The department of commerce and the department of financial institutions should review these cross-references in order to ensure that the bill uses the correct definition in all cases.

6. Should the duties of the department of transportation under s. 85.037, stats., regarding the certification of amounts of supplemental title fees received, be required of the department of commerce? This change appears to be necessary in order to preserve the effect of the appropriation in s. 20.855 (4) (f), stats.

7. It is possible that the current definitions of “mobile home” under the department of administration and department of transportation statutes cover things that will not fit within the definition of “manufactured home” proposed in the bill. The department should consider this possibility and determine whether any additional changes to the definition of “manufactured home” are needed in order to ensure that the scope of the regulation in ch. 101 is accurate.

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